

REMARKS

Applicant notes with appreciation the resolution of the prior rejections as set forth in paragraphs 5-9 of the latest office action.

The outstanding rejections are:

- claim 6 is rejected as being indefinite for failing to state the thickness amount (§ 112, second paragraph); and
- claims 5-8, 14-15, 60, 62, 65 and 67-68 remain rejected under § 102(b) as anticipated by JP 08-008065.

Applicant will respond to the outstanding rejections in a continuation application. Thus, Applicant is not conceding the subject matter of these rejections, but wishes to respond to them in a continuation application for the reasons set forth below.

Applicant has recently received an office action from the Japanese Patent Office dated November 21, 2003 and December 2, 2003. The office action identifies certain Japanese-language references which the Japanese Examiner has cited against some but not all claims in the corresponding Japanese case. Applicant does not yet have English-language translations or counterparts of all of the Japanese-language references.

However, the Japanese Examiner has not cited these new references against the subject matter of Applicant's present U.S. independent claim 23, and claims 25 and 26 which depend therefrom. The U.S. Examiner has already allowed those claims in this case. Therefore, Applicant in this response has canceled the remaining claims, subject to the filing of a continuation application responding to both the U.S. Examiner's prior rejections and making of record the Japanese office action and references cited therein.

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Applicant files herewith an Information Disclosure Statement enclosing:

- a copy of the Japanese office action dated November 21, 2003 and December 2, 2003 in corresponding Japanese Application 2000-588818; and
- four new Japanese prior art references, with English-language abstracts for each, and a computer translation of one of these references (JP 09-260062) available on the JPO website; there are no computer translations available on the JPO website for the other three references.

The Japanese Examiner has also cited JP 10-223377. This is the Japanese equivalent of U.S. Patent 5,739,545 which is listed on the PTO-892 Notice of References Cited in the present application.

Applicant has requested an English-language translation of the Japanese office action and expects to receive it in the next 1-2 weeks. Applicant will immediately forward this to the U.S. Examiner.

Following the Examiner's receipt of the English translation of the Japanese office action, confirming that the Japanese Examiner has not cited this additional art against the subject matter of the present U.S. claims 23, 25 and 26, Applicant respectfully submits that these claims have been allowed the application is in condition for allowance.

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Applicant respectfully requests that this Amendment under 37 C.F.R. § 1.116 be entered by the Examiner, placing claims 23, 25 and 26 in condition for allowance. Applicant(s) submit(s) that the proposed amendments of claims 23, 25 and 26 do not raise new issues or necessitate the undertaking of any additional search of the art by the Examiner, since all of the elements and their relationships claimed were either earlier claimed or inherent in the claims as examined. Therefore, this Amendment should allow for immediate action by the Examiner.

Furthermore, Applicant respectfully points out that the final action by the Examiner presented some new arguments as to the application of the art against Applicant's invention. It is respectfully submitted that the entering of the Amendment would allow the Applicant to reply to the final rejections and place the application in condition for allowance.

Finally, Applicant submits that the entry of the amendment would place the application in better form for appeal, should the Examiner dispute the patentability of the pending claims.

In view of the foregoing remarks, Applicant submits that this claimed invention, as amended, is neither anticipated nor rendered obvious in view of the prior art references cited against this application. Applicant therefore requests the entry of this Amendment, the Examiner's reconsideration and reexamination of the application, and the timely allowance of the pending claims.

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Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

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By: 
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